

215918US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

Yuki MIYAZAWA et al. :

EXAMINER: PRYOR

SERIAL NO: 09/987,549 :

FILED: NOVEMBER 15, 2001 :

GROUP ART UNIT: 1616

FOR: TILLERING PROMOTER FOR PLANT AND METHOD FOR TILLERING  
PROMOTION OF PLANTPETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR §1.313

Responsive to the Notice of Issuance dated July 10, 2003, in the present application,  
Petitioners respectfully request the Office to Withdraw the present allowed application from  
Issue under the provisions granted Petitioners by 37 CFR §1.313.

37 CFR §1.313(c) states:

"Once the issue fee has been paid, the application will not be  
withdrawn from issue upon petition by the applicant for any  
reason except: . . . (2) Consideration of request for continued  
examination in compliance with §1.114; . . ."

Applicants have filed a request for continued examination in compliance with §1.114 along with this Petition. A copy of the request for continued examination is attached for the convenience of the Petition's Office.

If prosecution of an application is closed and a Petition under 37 CFR §1.313 is granted, an applicant may request continued examination under 37 CFR §1.114 by filing a submission and a fee. Petitioners respectfully filed the appropriate fee set forth in 37 CFR §1.17(e) required by 37 CFR §1.114. Further, Petitioners respectfully filed an appropriate submission under 37 CFR §1.114(c).

37 CFR §1.114(c) states:

"A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability . . . ."

Petitioners have timely filed with the request for continued examination, an information disclosure statement, which qualifies as an appropriate submission as set forth in 37 CFR §1.114(c). A copy of the information disclosure statement is enclosed for the convenience of the Petition's Office. Accordingly, Petitioners have timely filed a request for continued examination in compliance with §1.114 as set forth above.

In light of the above, Applicants respectfully submit that the Petition be GRANTED.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

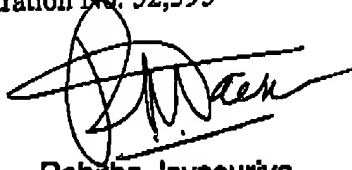
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RLT/rac  
I:\my\11\00215918.petition to withdraw.wpd



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Docket No.: 215918US0

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yuki MIYAZAWA, et al.

SERIAL NO: 09/987,549

GAU: 1616

FILED: November 15, 2001

EXAMINER: PRYOR

FOR: TILLERING PROMOTER FOR PLANT AND METHOD FOR TILLERING PROMOTION OF PLANT

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

## Submission required under 37 C.F.R. §1.114

## Previously Submitted:

- ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

## Enclosed:

- ☐ Amendment/Reply
- ☒ Information Disclosure Statement (IDS); Form PTO 1449; Cited References (2)
- ☒ Other: Petition to Withdraw from Issue Under 37 C.F.R. §1.313

FEES	RATE	CALCULATIONS
<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of months.	\$130.00	\$0.00
<input checked="" type="checkbox"/> RCB Fee required under 37 C.F.R. §1.17(c)	\$750.00	\$750.00
<input type="checkbox"/>		\$0.00
<input type="checkbox"/>		\$0.00
TOTAL OF ABOVE CALCULATIONS:		\$750.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING AS SMALL ENTITY		\$0.00
TOTAL:		\$750.00

- ☒ A check in the amount of \$750.00 is enclosed

- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 CFR 1.136, and any additional fees required under 37 CFR 1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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